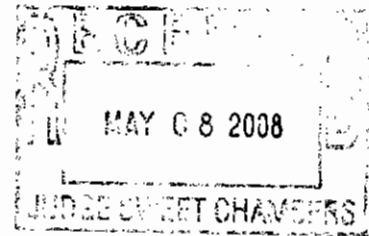




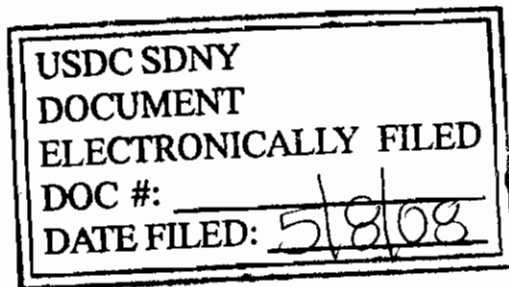
STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
Attorney General

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Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau



(212) 416-8922

May 7, 2008

Honorable Robert W. Sweet
United States District Judge
United States Courthouse
Southern District of New York
500 Pearl Street, Rm. 1920
New York, New York 10007

*Served
Direct
USDC
5-8-08*

Re: Alston v. Bendheim, et al. / 08 Civ. 1517 (RWS)

Dear Judge Sweet:

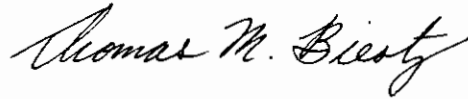
The Office of the Attorney General of the State of New York represents defendants Dr. Koenigsmann, P.A. Rodas, and Dr. Wright in this matter. I write to request an extension of time by which defendants must move or answer with respect to the complaint from May 12, 2008 to and including July 15, 2008. This is Defendant's first request for an extension of time. Plaintiff, pro se, has not been contacted for his consent as he is presently incarcerated.

Our office recently received a request for representation from defendants Dr. Koenigsmann, P.A. Rodas, and Dr. Wright pursuant to New York Public Officers Law § 17. A response on Dr. Wright's behalf is due on May 12, 2008. Responses on P.A. Rodas and Dr. Koenigsmann's behalf are due on May 15, 2008. In addition, upon information and belief, defendants Dr. Bendheim, Dr. Bernstein, Dr. Mamis, Don Stevens, and John Doe have not yet been served with the summons and complaint and have not requested representation. If and when these defendants are served, they will join in this request for an extension.

An extension of time is necessary, in the interest of efficiency, for the remaining defendants to be served and for the defendants to submit a joint motion or answer. In addition, the additional time will allow this office to obtain the necessary files and documents, investigate the facts, research applicable law and draft responsive papers.

Wherefore, it is respectfully requested that defendants' request for an extension to move or answer with respect to the complaint to and including July 15, 2008 be granted.

Respectfully submitted,

A handwritten signature in black ink, reading "Thomas M. Biesty". The signature is written in a cursive style with a large, stylized 'T' and 'B'.

Thomas M. Biesty
Assistant Attorney General

cc: Mr. Ronald Alston
(Via first class mail)